

#### REMARKS

This application was examined with claims 1 through 30 that were rejected. Claims 1, 11, 21 and 26 have been amended. Claims 1 through 30 remain in the application.

Applicant requests reconsideration and reexamination of the above-identified application in view of the amendments made to the specification and claims. The following remarks state Applicant's bases for making this request and are organized according to the Examiner's Action by paragraph number.

#### Examiner's Action, Paragraphs 1 and 2

The Examiner rejects claims 1 through 30 under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner refers to claims 1, 11, 21 and 26.

Applicants are amending claims 1, 11, 21 and 26. Applicants believe that these amendments overcome each and every basis for the Examiner's rejection. In addition, Applicants are amending portions of the specification to clarify minor errors that were identified during the preparation of this amendment.

#### Examiner's Action, Paragraphs 1 through 7

The Examiner's rejects claims 1 through 20 [sic] under 35 U.S.C. 102(e) as being anticipated by three related references, namely: U.S. Patent No. 6,363,385; U. S. Patent No. 7,031,966; and U. S. Patent No. 7,099,875. The Examiner further indicates

that this objection might be overcome by a showing that the invention disclosed but not claimed in the reference was derived from the inventor of this application or another appropriate showing. The Examiner further argues that "the claimed first, second & third lists reads on the descriptions of figures 2-3 of the Kedem reference. One can broadly interpret such claimed lists as the descriptions of figures 2-3". Examiner's Action, Paragraph 7.

Applicants respectfully traverse this rejection.

Applicants submit that the language of each of claims 1 through 30 defines an invention that is patentable over the disclosures in any of the foregoing references.

More specifically, the Kedem references disclose two structures that could possibly constitute lists or bit sets. One list or bit set is constituted by a PB list or bit set selected for each session in the Kedem patents. FIGS. 2 and 3 of the Kedem patents also disclose IND bits 132 for use in the destination device.

However, Applicants respectfully submit that Kedem does not disclose the claimed second list or bit set of predetermined storage locations in the source device. Consequently, Applicants respectfully submit that, as each of the claims requires three lists or sets, none of the Kedem references anticipates the invention as set forth in each of the claims. Further, Applicants respectfully submit that the differences between the invention as claimed and the disclosures in the Kedem patents would not have been obvious to

a person of ordinary skill in the art at the time Applicants made their invention.

Consequently, Applicants respectfully request the Examiner to reconsider the substance of the office action and to allow claims 1 through 30 as amended.

If there are any questions, we urge the Examiner to call us collect.

Respectfully Submitted,

/George A Herbster/

George A. Herbster  
Reg. No. 24,002  
40 Beach Street  
Manchester, MA 01944  
(978) 526-8111